

The Public Agenda Session of the Board of Public Works was convened at 10:33 a.m. on Thursday, February 9, 2006, by Board President Gary A. Gilot, with Mr. Carl P. Littrell present. Board Member Donald E. Inks was absent. Also present was Board Attorney Thomas Bodnar. Board of Public Works Clerk Angela Jacob presented the Board with a proposed agenda of items presented by the public and by City Staff.

AGENDA ITEMS ADDED

- Traffic Control Device
- Claims
- Revised Grant of Easement – Storm Sewer

Board members discussed the following item(s) from that list.

- Safety Reports – Department of Public Works
Mr. Patrick Henthorn, Environmental Services; Mr. Sam Hensley, Street Department; and Mr. Andy Wierzbicki, Water Works, presented the Safety Report for their respective department. Mr. John Stancati, Water Works, submitted a rate schedule order.
- Monthly Reports – Department of Public Works
Mr. Patrick Henthorn, Environmental Services and Mr. Andy Wierzbicki, Water Works, presented the Monthly Report for their respective department.
- Renewal Agreement – Commercial and Industrial Interruptible Sales Service (Northern Indiana Public Service Company)
Mr. Patrick Henthorn, Environmental Services, stated the meter rate based on projected usage is lower than the price locked in. All engines are now running on the digester and not using natural gas, therefore reducing the gas usage and cost.
- Agreement to Contract –Complete EPA Tasks – Greeley and Hansen
Mr. Patrick Henthorn, Environmental Services, stated an alternative analysis for additional work was ordered by EPA to conform with EPA requirements.
- Amendment to Contract – Secondary Treatment and Miscellaneous Plant Improvements– Greeley and Hansen
Mr. Patrick Henthorn, Environmental Services, stated the Contract ran over projected cost. The Contract was funded by the State Revolving Fund. This Contract was for fiberglass grading and irrigation supports.

AWARD BID – IRELAND ROAD RECONSTRUCTION – REITH-RILEY CONSTRUCTION COMPANY - PROJECT NO. 104-040 (BOND ISSUE)

Mr. Carl P. Littrell, City Engineer, advised the Board that on December 12, 2005, bids were received and opened for the above referred to project. After reviewing those bids, Mr. Gilot recommends that the Board award the contract to the lowest responsible and responsive bidder, Reith-Riley Construction Company, 25200 State Road 23, South Bend, Indiana, in the amount of \$1,755,777.00. Therefore, Mr. Gilot made a motion that the recommendation be accepted and the bid be approved as outlined above. Mr. Littrell seconded the motion, which carried.

APPROVAL OF EXTENSION OF BID AWARD – LIGHT BULBS – ALL-PHASE ELECTRIC SUPPLY

Ms. Marilyn Taylor, Purchasing, advised the Board that on February 28, 2005, the Board approved the bid award for light bulbs. All-Phase Supply will honor the 2005 bid award for light bulbs through December 31, 2006. Ms. Taylor requested permission to extend the bid award for 2006. Therefore, Mr. Gilot made a motion that the recommendation be accepted and the bid be extended as outlined above. Mr. Littrell seconded the motion, which carried.

The Clerk was instructed to post the agenda and notify the media and other Persons who have requested notice of the meeting agenda. No other business came before the Board. The meeting adjourned at 11:47 a.m.

PUBLIC AGENDA SESSION

FEBRUARY 9, 2006

BOARD OF PUBLIC WORKS.
s/Gary A. Gilot, President
s/Carl P. Littrell, Member
s/Donald E. Inks, Member

ATTEST:
s/Angela K. Jacob, Clerk

REGULAR MEETING

FEBRUARY 13, 2006

The regular meeting of the Board of Public Works was convened at 9:33 a.m. on Monday, February 13, 2006, by Board President Gary A. Gilot, with Mr. Carl P. Littrell and Mr. Donald E. Inks present. Also present was Board Attorney Thomas Bodnar.

AGENDA ITEM ADDED

The following agenda item was added:
- Acknowledgment of peaceful protest/picket

APPROVE MINUTES OF PREVIOUS MEETINGS

Upon a motion made by Mr. Littrell, seconded by Mr. Inks, and carried, the minutes of the public agenda session, regular meeting and special meeting of the Board held on January 29, 23 and 30, 2006, were approved.

AWARD BIDS – SALE OF ABANDONED VEHICLES

Mr. Gary Libbey, Code Enforcement, advised the board that on January 23, 2006, bids were received and opened for the above referred to vehicles. After reviewing those bids, Mr. Libbey recommends that the Board award the bids to the highest bidders as follows:

AMY J. GRAD
8169 North Oak Avenue
Walkerton, Indiana 46574

No.	Make of Vehicle	Year	Bid
11	RED FORD PROBE	1994	\$141.00
12	SILVER DODGE NEON	1995	\$141.00
TOTAL			\$282.00

DAVID P. FODROCI
19844 Southland Avenue
South Bend Indiana 46614

No.	Make of Vehicle	Year	Bid
2	RED MITSUBISHI ECLIPSE	1990	\$137.50
9	Black Mitsubishi Conquest	1987	\$161.50
TOTAL			\$299.00

INDIANA AUTO PARTS
3300 South Main Street
South Bend, Indiana 46614

No.	Make of Vehicle	Year	Bid
3	BLUE CADILLAC FLEETWOOD	1984	\$165.50
13	BLACK JEEP WAGONEER	1987	\$162.70
TOTAL			\$328.20

J. HINES
11394 E400N
Grovertown, Indiana 46531

No.	Make of Vehicle	Year	Bid
1	RED CHEVROLET CORSICA	1991	\$150.00
4	WHITE FORD TAURUS	1991	\$125.00
5	WHITE LINCOLN CONTINENTAL	1990	\$125.00
6	BURGUNDY PLYMOUTH LASER	1990	\$125.00
7	RED FORD EXPLORER	1992	\$250.00
8	GRAY FORD ECONOLINE	1992	\$350.00
10	SILVER OLDSMOBILE CUTLASS	1990	\$125.00
TOTAL			\$1,250.00

Therefore, Mr. Gilot made a motion that the recommendation be accepted and the bids be awarded as outlined above. Mr. Littrell seconded the motion, which carried.

EXTENSION OF BID AWARD – MOWING OF VACANT CITY LOTS – INFOLINK, INC

Ms. Cathy Topples, Code Enforcement, advised the board that on May 9, 2005, the Board approved the Construction Contract for the Vacant Lot Mowing and Maintenance. Infolink, Inc., South Bend, Indiana, stated they will honor the 2005 Agreement for the mowing of approximately 160 vacant City owned lots for \$24.00 per lot. Code Enforcement would like to extend the Contract for the 2006 mowing year. Therefore, Mr. Gilot made a motion that the recommendation be accepted and the bid be extended as outlined above. Mr. Littrell seconded the motion, which carried.

APPROVAL OF REQUEST TO ADVERTISE FOR THE RECEIPT OF BIDS – TWENTY-EIGHT (28) MORE OR LESS, 2006 OR NEWER FRONT WHEEL DRIVE POLICE PATROL VEHICLES (2006 VEHICLE CAPITAL)

In a letter to the Board, Mr. Lou Grounds, Central Services, requested permission to advertise for the receipt of bids for the above referred to vehicles. Therefore, upon a motion made by Mr. Gilot, seconded by Mr. Littrell, the above request was approved.

APPROVAL OF REQUEST TO ADVERTISE FOR THE RECEIPT OF BIDS – 2006 GOOD NEIGHBORS/GOOD NEIGHBORHOODS – PUBLIC WORKS IMPROVEMENT PROGRAM – PROJECT NO. 106-017 (GENERAL FUND)

In a letter to the Board, Mr. Toy Villa, Division of Engineering, requested permission to advertise for the receipt of bids for the above referred to project. Therefore, upon a motion made by Mr. Gilot, seconded by Mr. Littrell, the above request was approved.

APPROVAL OF REQUEST TO ADVERTISE FOR THE RECEIPT OF BIDS – CHEMICALS – CHLORINE/FLUOROSILICIC ACID/POTASSIUM PERMANGANATE/BLENDED PHOSPHATE SEQUESTRANT/CORROSION INHIBITOR (WATER WORKS OPERATING BUDGET)

In a letter to the Board, Mr. John Wiltrout Water Works, requested permission to advertise for the receipt of bids for the above referred to chemicals. Therefore, upon a motion made by Mr. Gilot, seconded by Mr. Inks and carried, the above request was approved.

APPROVAL OF REQUEST TO ADVERTISE FOR THE RECEIPT OF BIDS – DONALD & FOX STORM SEWER EXTENSION/TITLE SHEET – PROJECT NO. 105-010 (SEWER BOND)

In a letter to the Board, Mr. Jason Durr, Division of Engineering requested permission to advertise for the receipt of bids for the above referred to project. In addition, the Title Sheet for this project was submitted for approval. Therefore, upon a motion made by Mr. Gilot, seconded by Mr. Littrell and carried, the request to advertise and the Title Sheet were approved.

APPROVAL OF REQUEST TO ADVERTISE FOR THE RECEIPT OF BIDS – 2006 CONCRETE PAVEMENT REPAIRS - PROJECT NO. 106-015 (LRSA)

In a letter to the Board, Ms. Thia Vawter, Engineering, requested permission to advertise for the receipt of bids for the above referred to project. Therefore, upon a motion made by Mr. Gilot, seconded by Mr. Inks and carried, the above request was approved.

APPROVE CHANGE ORDER – EAST WASHINGTON STREETScape – RIETH RILEY CONSTRUCTION – PROJECT NO. 104-046 (SBCDA)

Mr. Gilot advised that Mr. Toy Villa, Engineering, has submitted Change Order No. 1 on behalf of Rieth Riley Construction, 25200 State Road 23, South Bend, Indiana, indicating that the Contract amount be decreased \$31,152.00 for a new Contract sum including this Change Order in the amount of \$1,071,964.00. Upon a motion made by Mr. Inks, seconded by Mr. Littrell, and carried, the Change Order was approved.

APPROVE CHANGE ORDER NO. 1 (FINAL) AND PROJECT COMPLETION AFFIDAVIT – NORTH BROOKFIELD AND JOHNSON STREET IMPROVEMENTS – WALSH & KELLY – PROJECT NO. 105-010 (CDBG)

Mr. Gilot advised that Mr. Toy Villa, Engineering, has submitted Change Order No. 1 (Final) on behalf of Walsh & Kelly, 24358 State Road 23, South Bend, Indiana, indicating that the contract amount be decreased by \$16,426.45 for a new contract sum including this Change Order in the amount of \$97,453.05. Additionally submitted was the Project Completion Affidavit indicating this new final cost. Upon a motion made by Mr. Inks, seconded by Mr. Littrell and carried, Change Order No. 1 (Final) and the Project Completion Affidavit were approved subject to the filing of the appropriate three-year Maintenance Bond.

APPROVE CHANGE ORDER NO. 1 (FINAL) AND PROJECT COMPLETION AFFIDAVIT – MISHAWAKA STREETSCAPE IMPROVEMENT – TRANS TECH ELECTRIC – PROJECT NO. 105-025

Mr. Gilot advised that Mr. Toy Villa, Engineering, has submitted Change Order No. 2 (Final) on behalf of Trans Tech Electric, Post Office Box 3915, South Bend, Indiana, indicating that the contract amount be decreased by \$7,580.96 for a new contract sum including this Change Order in the amount of \$130,313.29. Additionally submitted was the Project Completion Affidavit indicating this new final cost. Upon a motion made by Mr. Inks, seconded by Mr. Littrell and carried, Change Order No. 2 (Final) and the Project Completion Affidavit were approved subject to the filing of the appropriate three-year Maintenance Bond.

APPROVE PROJECT COMPLETION AFFIDAVIT – SASCO BUILDING ELECTRICAL SERVICES INSTALLATION – TRANS TECH ELECTRIC – PROJECT NO. 104-030

Mr. Gilot advised that Mr. Toy Villa, Engineering, has submitted the Project Completion Affidavit on behalf of Trans Tech Electric, 4601 Cleveland Road, South Bend, Indiana, for the above referred to project, indicating a final cost of \$8,854.00. Upon a motion made by Mr. Inks seconded by Mr. Littrell and carried, the Project Completion Affidavit was approved.

CONTRACTS/AGREEMENTS/PROPOSALS/ADDENDA

The Board of Public Works approved the following Contracts/Agreements/Proposals/Addenda as follows:

TYPE	DESCRIPTION	CONTRACTOR	AMOUNT	MOTION/ CARRIED
Agreement	Commercial and Industrial Interruptible Sales Service	Northern Indiana Public Service Company (NIPSCO)	\$.12/Therm	Gilot/Littrell
Proposal	Professional Engineering Services – Design of Notre Dame Trunk Sanitary Sewer	Lawson Fisher Associates	Not to Exceed \$17,065.00	Gilot/Littrell
Renewal Agreement	Renewal of Insurance Policy for Equipment	Underwriters Insurance	\$61,294.00/year	Gilot/Inks It was noted this Agreement was not a signed original
Agreement	City Plan Video	Grass Roots Media	\$2,700.00	Gilot/Inks
Agreement	Professional Engineering Services	Greeley & Hansen	\$188,000.00	Gilot/Littrell
Addendum to Contract	Kensington Farms/Crest Manor Drainage Improvements	The Troyer Group	\$104,550.00	Gilot/Littrell
Amendment	Complete EPA Tasks	Greeley & Hansen	\$28,976.45	Gilot/Littrell

APPROVE RELEASE OF DRAINAGE & UTILITY EASEMENT – GEORGETOWN NORTH – LANG, FEENEY AND ASSOCIATES

Mr. Jason Durr, Engineering, submitted a Drainage and Utility Easement between Lots 17 and 180, Georgetown North on behalf of Lang, Feeney and Associates, 715 South Michigan Street, South Bend, Indiana. Lang, Feeney and Associates, would like to vacate this easement to allow the combination of these two lots into one lot for the construction of the duplex. They have verified that no water lines or sewer lines exist in

the easement. Upon a motion made by Mr. Gilot, seconded by Mr. Littrell and carried, the Release of Easement was approved.

APPROVE REVISED GRANT OF EASEMENT – HARTER HEIGHTS SEWER SEPARATION

Mr. Jason Durr, Division of Engineering, submitted a revised Grant of Easement for the Harter Heights Sewer Separation. Upon a motion made by Mr. Gilot, seconded by Mr. Littrell and carried, the easement was approved.

APPROVE LETTER OF CREDIT

Mr. Tony Molnar, Engineering, submitted the following Letter of Credit to the Board and recommended approval:

LETTER OF CREDIT NO. 995254

ISSUED BY: Horizon Bank

FOR: Hidden Creek, Section One

AMOUNT: \$57,100.00

EXPIRES: January 18, 2007

IMPROVEMENT: Asphalt Surface, Sidewalk & Ramps, Street Lighting
Erosion Control, Entrance Road, Complete Basins

Mr. Gilot made a motion that the Letter of Credit, as outlined above, be approved. Mr. Inks seconded the motion, which carried.

APPROVAL OF PROCESSION/ALLEY VACATION/TRANSIENT MERCHANT LICENSE

The Board of Public Works approved the following processions/alley vacation/transient merchant license as follows:

ORGANIZATION	TYPE	DATE/TIME/LOCATION	MOTION/CARRIED
South Bend Park Department	Riverside Run	Pinhook Park to Riverside Drive and Return – July 1, 2006; 6:00 a.m. – 9:00 a.m.	Inks/Littrell
VanBrocklin, William	Alley Vacation	East/West Alley Between Ford and Poland Streets	Littrell/Inks
Shipshewana on the Road	Transient Merchant License	February 18-19, 2006 – Century Center	Inks/Gilot

APPROVE CONSENT TO ANNEXATION AND WAIVER OF RIGHTS TO REMONSTRATE AND ACKNOWLEDGMENT OF CITY COMPACT FEES

Mr. Gilot stated that the Board is in receipt of a Consent to Annexation and Waiver of Right to remonstrate as submitted by Mr. William Veldman and Mr. John Becker. The Consent indicates that in consideration for permission to tap into public sanitary sewer and water system of the City, to provide sanitary sewer and water service to Lot A, Grouse's Addition, South Bend, Indiana, (Key # 17-1034-0929), Mr. Veldman and Mr. Becker waive and release any and all right to remonstrate against or oppose any pending or future annexation of the property by the City of South Bend. Therefore, Mr. Gilot made a motion that the Consent be approved. Mr. Littrell seconded the motion, which carried.

ACKNOWLEDGMENT OF PROTEST/PICKET

In a letter to the Board, Ms. Rebecca Kaiser, South Bend, Indiana, informed the Board her group plans to have a peaceful protest/picket on February 23, 2006. The Board reviewed the request and acknowledged the request, as long as they do not block the public right-of-way.

APPROVE/TABLE OF SCRAP METAL DEALER LICENSE APPLICATIONS

Upon a motion made by Mr. Inks, seconded by Mr. Littrell and carried, the following License Applications were approved/tabled.

COMPANY	ADDRESS	COMMENTS	MOTION/CARRIED
South Bend Scrap & Processing	3113 South Gertrude	Code stated fence is in disrepair; Not in compliance with wellhead protection program	TABLED Littrell/Inks
South Bend Scrap & Processing	1305 Prairie	Favorable Recommendations	Gilot/Littrell
Gertrude Street Metal Recycling, Inc.	3700 South Gertrude	Favorable Recommendations	Littrell/Inks
Steve & Gene’s	3109 Gertrude	Outstanding Wellhead Protection Application Fee	TABLED Gilot/Littrell

APPROVE TRAFFIC CONTROL DEVICES

Upon a motion made by Mr. Gilot, seconded by Mr. Littrell and carried, the following traffic control devices were approved:

NEW INSTALLATION: Add “Tow Zone” to Existing “No Parking Here to Corner” Sign
LOCATION: Wayne & Francis Streets
REMARKS: Residents Request

NEW INSTALLATION: Handicap Reserved Parking Signs
LOCATION: 509 Haney Avenue
REMARKS: All Criteria has been met

ADOPT RESOLUTION NO. 4-2006 – DISPOSAL OF CITY OWNED PROPERTY

Upon a motion made by Mr. Inks, seconded by Mr. Littrell and carried the following Resolution was adopted by the Board of Public Works:

RESOLUTION NO. 4-2006

WHEREAS, I.C. 36-9-6-1 gives the Board of Public Works of the City of South Bend the right and duty to have custody of, control of, use of, and dispose of in accordance with Indiana statutes, all real and personal property owned by the City of South Bend; and

WHEREAS, the Common Council of the City of South Bend passed as amended on January 9, 1995, Ordinance No. 8570-95 which states that upon retirement with twenty (20) or more years of service:

"Upon retirement with twenty (20) or more years of service to the City of South Bend, Indiana, a sworn member of the South Bend Fire Department shall be entitled to retain as his or her own personal property, the fire helmet used by such Firefighter immediately prior to giving notice of his or her retirement."

and

WHEREAS, **Daniel L. Meller** has retired from the South Bend, Indiana Fire Department after twenty (20) or more years of service, and the Board of Public Safety of the City of South Bend, Indiana has determined that he has retired in good standing; and

WHEREAS, I.C.. 36-1-11-6 permits and established procedure for disposal of personal property which is no longer needed by the City and which is unfit for the purpose for which it was intended; and

WHEREAS, Chief Luther Taylor has advised that the fire helmet previously worn by this Firefighter is of no further use to the Department and of no practical value;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Public Works of the City of South Bend that the fire helmet worn by this Firefighter is no longer needed by the City and unfit for the purpose for which it was intended and has an estimated fair market value of less than One Thousand (\$1,000.00) Dollars.

BE IT FURTHER RESOLVED that said property be disposed of in accordance with Ordinance 8570-95 and removed from the City inventory.

Adopted this 13th. day of February 2006.

BOARD OF PUBLIC WORKS.

s/Gary A. Gilot, President

s/Carl P. Littrell, Member

s/Donald E. Inks, Member

ATTEST:

s/Angela K. Jacob, Clerk

FILING OF CERTIFICATE OF INSURANCE

Upon a motion made by Mr. Gilot, seconded by Mr. Littrell and carried, the following Certificate of Insurance was accepted for filing:

Alway Development
South Bend, Indiana 46614

APPROVE EXCAVATION BONDS

Mr. Anthony Molnar, Engineer, Division of Engineering, recommended that the following Excavation Bonds be approved as follows:

BOND OF EXCAVATION

Chupp Plumbing & Heating

Approved Effective January 30, 2006,
Pursuant to Resolution No. 100-2000

Alpine Construction Inc.

Approved Effective January 30, 2006,
Pursuant to Resolution No. 100-2000

Alway Development

Approved Effective January 31, 2006,
Pursuant to Resolution No. 100-2000

Mr. Gilot made a motion that the recommendation be accepted and that the Bonds be approved as outlined above. Mr. Inks seconded the motion which carried.

FILING OF SAFETY REPORTS – DEPARTMENT OF PUBLIC WORKS

The Division of Environmental Services, Street Department, Division of Engineering, Water Works and Equipment Services submitted Safety Reports for January 2006. These reports will reflect injuries/accidents for each month and provide for a comparison. There being no further discussion, upon a motion made by Mr. Gilot, seconded by Mr. Inks and carried, the reports were accepted and filed.

FILING OF MONTHLY REPORT – ENVIRONMENTAL SERVICES

Mr. Jack Dillon, Director of Environmental Services, submitted a report for the Division of Environmental Services, for the Wastewater Treatment Plant, Organic Resources, Solid Waste and Sewer Repair, for the month of January 2006. There being no further discussion, upon a motion made by Mr. Gilot, seconded by Mr. Littrell and carried, the monthly reports were accepted and filed.

FILING OF MONTHLY REPORT – WATER WORKS

Mr. Andy Wierzbicki, Water Works, submitted a report for the Division of Water Works for the month of January 2006. There being no further discussion, upon a motion made

by Mr. Gilot, seconded by Mr. Littrell and carried, the monthly report was accepted and filed.

APPROVE PRE-TREATMENT PERMITS

In a Memorandum to the Board, Mr. Manuel Bueno, Pretreatment Coordinator, Division of Environmental Services, submitted the following Pre-Treatment Permits and recommended approval:

- 1. Swank Uniform Rentals
- 2. Ziker Cleaners

Upon a motion made by Mr. Gilot, seconded by Mr. Littrell and carried, the above referred to permits were approved.

APPROVE CLAIMS

Mr. Gilot stated that the following claims were submitted to the board for approval:

Name	Amount of Claim	Date
City of South Bend	\$1,164,504.30	February 6, 2006
City of South Bend	\$1,160,123.90	January 30, 2006
City of South Bend	\$2,074,653.04	February 13, 2006
St. Joseph County Housing Consortium	\$4,474.43	January 16, 2006
Photography by Janet Graham	\$4,950.00	December 29, 2005
DLZ, Indiana (South Bend Police Department)	\$73,974.50	December 12, 2005
DLZ, Indiana (South Bend Police Department)	\$46,207.50	December 15, 2005
DLZ, Indiana (South Bend Police Department)	\$9,577.00	December 15, 2005
St. Joseph County Housing Consortium	\$13,750.00	January 26, 2006
St. Joseph County Housing Consortium	\$130.71	January 25, 2006
St. Joseph County Housing Consortium	\$131.16	January 25, 2006
St. Joseph County Housing Consortium	\$3,597.28	January 25, 2006
St. Joseph County Housing Consortium	\$132.57	January 25, 2006
St. Joseph County Housing Consortium	\$113.09	January 25, 2006
St. Joseph County Housing Consortium	\$114.18	January 25, 2006
St. Joseph County Housing Consortium	\$67.46	January 25, 2006
St. Joseph County Housing Consortium	\$9,937.18	January 25, 2006
St. Joseph County Housing Consortium	\$40,000.00	January 27, 2006
St. Joseph County Housing Consortium	\$503.71	January 24, 2006

Mr. Inks made a motion that the claims be approved and the reports as submitted be filed. Mr. Littrell seconded the motion, which carried.

ADJOURNMENT

There being no further business to come before the Board, upon a motion made by Mr. Gilot, seconded by Mr. Inks and carried, the meeting adjourned at 10:00 a.m.

BOARD OF PUBLIC WORKS.
s/Gary A. Gilot, President
s/Carl P. Littrell, Member
s/Donald E. Inks, Member

ATTEST:
s/Angela K. Jacob, Clerk